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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,121	03/30/2001	Antonio J. Colmenarez	US010080	8881

24737 7590 08/24/2005

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

CHAN, WING F

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

1. The reply brief filed 8/3/05 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

2. In addition, appellants' remarks regarding claims 1 & 10 as set forth on page 4 is not persuasive and only shows appellants still failed to understand the rejection. As clearly stated in the Final rejection and Answer Baker or Malkin is relevant in showing why one would modify Potts' moving camera to be a motionless camera with the ability to provide pan/tilt/zoom functions to make the system more reliable and reduce cost. These are reasons found in the applied art and clearly stated in the rejection, e.g. see Baker col. 7 lines 26-38, Malkin col. 1 line 16-28, col. 2 lines 16 to col. 3 line 6; therefore the rejection is proper and is not a result of improper hindsight as erroneously alleged by appellants.

Appellant's remarks regarding claims 2 & 11, as set forth on page 5 is not persuasive for the same reasons as set forth in the Examiner's Answer.

Appellant's remarks regarding claims 9 & 25 as set forth on pages 5-6 not persuasive since appellants are requiring the physical combination of the references which is wrong in determining obviousness; however, "the test for obvious is not whether the features of one reference may be bodily incorporated into the other to produce the claimed subject matter but simply what the combination of references make obvious to one of ordinary skill in the art", see In re Bozek, 163 USPQ 545. Thus, appellants' arguments are not persuasive, and moot.

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wing F. Chan whose telephone number is 571-272-7493. The examiner can normally be reached on Monday to Friday from 9 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Wing F. Chan', with a stylized, flowing script.

Wing F. Chan
Primary Examiner
Art Unit 2643

8/22/05